



October 13, 2023

Heather P. Jones
Chief Coroner for the Yukon Territory
PO Box 2703 (J-10A)
Whitehorse, YT Y1A 2C6

Dear Heather P. Jones,

Re: Kaiya Sandra Faith Stone-Kirk

Thank you for your correspondence on August 17, 2023, related to the Inquest Report on the accidental death of Kaiya Sandra Faith Stone-Kirk in which you highlighted the Jury's recommendations directed at Family and Children's Services (FCS). I also thank you for giving me the chance to share with you how FCS has responded to these recommendations. It is important that we continue the dialogue that began with the Inquest in an open and transparent manner to show the public our efforts to prevent a similar tragedy from occurring in the future.

Below is a summary of the concrete actions FCS has taken to date, as well as the actions we are planning to take in the coming months in response to the Jury's recommendations.

In **Recommendation #5**, the Jury directed FCS to create a safe sleep policy and gave specific instructions on how to implement it.

On October 26, 2021, FCS started the process of developing a comprehensive safe sleep policy that captured years of informal practices that child protection social workers used when supporting at-risk parents and parents with infants. On April 4, 2022, FCS' safe sleep policy, which provides formal guidance to child protection social workers on how to support safe sleep spaces for children two years of age or younger, came into effect. This policy includes up-to-date information on safe sleep from the Public Health Agency of Canada, rationale for safe sleep and safe sleep strategies, and places mandatory obligations on child protection social workers.

Some of these mandatory obligations require child protection social workers to review safe sleep practices with parents and caregivers, provide Health Canada safe sleep equipment to parents and caregivers as necessary, and conduct visual inspections of sleeping surfaces for infants during home visits. Also under this policy, caregivers are required to discuss safe sleep strategies and share safe sleep equipment with those who look after any child for a short period time, such as a babysitter or a respite provider. Child protection social workers can support these discussions upon request.

The safe sleep policy also requires child protection social workers to support setting up safe sleep spaces. We are in discussions with Yukon First Nation governments on how we can work together to deliver safe sleep spaces to caregivers and parents in rural communities outside of regular business hours, especially during emergencies/urgent situations.

In addition to this policy, all FCS offices now maintain a sufficient stock of Health Canada approved safe sleep equipment, with owner's manual and other resources on safe sleep, that can be given to parents and caregivers as necessary.

In **Recommendation #6**, the Jury directed FCS to develop and incorporate policies related to the stock of safe sleep equipment maintained in FCS offices.

In response to this recommendation, we implemented processes for internal communication among FCS support staff and management regarding the stock of safe sleep equipment in each FCS office and allocated the necessary funding to maintain this stock. Considering these internal processes and the aforementioned safe sleep policy which requires workers to understand safe sleep equipment, including manufacturer's guidelines on age, weight limit, developmental milestones, etc., we do not believe that additional policies related solely to the stock of safe sleep equipment is necessary at this time.

While the recommendation mentions loaned equipment, please be assured that this is new stock, and that FCS will not loan safe sleep equipment, nor will we provide used/second-hand safe sleep equipment.

In **Recommendation #7**, the Jury directed FCS to provide mandatory in-person training on safe sleep policy.

After the safe sleep policy came into effect, child protection supervisors reviewed it with their child protection social workers and communicated the Director of FCS' expectations. But we acknowledge that a more formal training with hands-on learning is required and as such are working to deliver safe sleep policy training, including how to set up safe sleep spaces, starting in late fall 2023 and will offer it regularly. All child protection social workers delegated to act on behalf of the Director of FCS under the *Child and Family Services Act* must complete this training. The training will be offered to other FCS support staff, such as family support workers and case aides, who work closely with child protection social workers.

In **Recommendation # 8**, the Jury directed FCS to create policies on Extended Family Care Agreements that speak to safety plans in place for short-term urgent situations.

Creating safety for children is our utmost priority and our child protection social workers regularly revisit safety plans with caregivers. Prior to entering into an Extended Family Care Agreement, child protection social workers are required by policy to facilitate a collaborative planning process with the child, parents, extended family members, the family's Yukon First Nation(s), and other relevant individuals on how we can all work together to meet the needs of the child and support the extended family caregiver. Safety

plans that speak to short-term care for the child during an emergency or an urgent situation is a mandatory topic of discussion at these meetings.

FCS accepts this recommendation and understands the need to clarify these discussions on short-term care for children in emergency/urgent situations. Since we are currently reviewing our *Child and Family Services Act Policy Manual*, we will prioritize clarifying policies on Extended Family Care Agreements as recommended by the Jury. Our plan is to complete the review of the policies on Extended Family Care Agreements within the next 3 to 6 months to identify policy revisions and then consult Yukon First Nations and the Council of Yukon First Nations for their input.

In **Recommendation #9**, the Jury recommended developing a course in collaboration with First Nations that must be completed by caregivers who work for FCS.

We acknowledge that given the overrepresentation of Indigenous children in the child protection system, caregivers approved by FCS must receive culturally relevant training that equip them to care for Indigenous children. Over the last year, FCS and the Council of Yukon First Nations have explored various training programs designed by Indigenous organizations for caregivers who look after children that cannot remain with their parents. Once we have selected an appropriate training program, we will jointly present it to Yukon First Nations to seek their input. At this time, we cannot provide an anticipated implementation date due to the need to ensure that First Nation governments and Council of Yukon First Nations are a part of this process.

In **Recommendation #10**, the Jury directed FCS to support Yukon First Nations, with Liard First Nation as a priority, develop a roster of people in each community to provide temporary care to a child during an emergency/urgent situation. Similarly, in **Recommendation #11**, the Jury directed FCS to support Yukon First Nations, with Liard First Nation as a priority, to establish resources in their communities for temporary care of children in emergency situations.

We cannot underscore the importance of creating safe places within children's communities to guarantee they stay as close as possible to their family, community, and culture when they cannot live at home. We have made both legal and policy changes to make this possible. In 2022, Yukon First Nations, Council of Yukon First Nations and the Government of Yukon changed the *Child and Family Services Act* so that children who cannot remain with their parents because of safety reasons can stay with extended family members or with people within their community for a short period of time. In November 2022, we implemented a policy that gives child protection social workers guidance on how to establish and support these resources. FCS is in conversation with Yukon First Nations on how to create these resources. Specifically, working with Liard First Nation in looking to conduct the assessments on those who have indicated their interest in becoming approved caregivers.

Finally, in **Recommendation #13**, the Jury directed that FCS consider Yukon First Nation community safety officers when RCMP services are required.

We agree with the intent of this recommendation, and FCS will work with Yukon First Nations and RCMP to address the recommendation.

Thank you again for bringing these recommendations to our attention. We hope to build on these responses as we continue to consider the Jury's recommendations and gain insight from Yukon First Nations on how to better support their communities. If you have any questions about the responses detailed above, please do not hesitate to contact me at 867-393-6994 or leeann.kayseas@yukon.ca.

Sincerely,



Leeann Kayseas

Director, Family and Children's Service
Health and Social Services